

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN SECTION OF TENNESSEE  
WESTERN DIVISION

---

CORTEZ D. BROWN, DEONTAE TATE, and JEREMY S. MELTON on behalf of themselves and all similarly situated persons,	)	Case No. 2:17-cv-02015-JTF-dkv  (Honorable John T. Fowlkes, Jr.)
	)	
	)	
PLAINTIFFS,	)	CLASS ACTION COMPLAINT FOR VIOLATIONS OF THE CIVIL RIGHTS ACT OF 1871, 42 U.S.C. § 1983, AND TENNESSEE COMMON LAW
	)	
	)	
v.	)	
	)	
BILL OLDHAM, in his individual capacity and in his official capacity as the Sheriff of Shelby County, Tennessee; ROBERT MOORE, in his individual capacity and in his official capacity as the Jail Director of the Shelby County, Tennessee; CHARLENE McGHEE, in her individual capacity and in her official capacity as the of Assistant Chief Jail Security of Shelby County, Tennessee; DEBRA HAMMONS, in her individual capacity and in her official capacity as the Assistant Chief of Jail Programs of Shelby County, Tennessee; SHELBY COUNTY, TENNESSEE, a Tennessee municipality; and TYLER TECHNOLOGIES, INC., a foreign corporation	)	JURY TRIAL DEMANDED PURSUANT TO FED. R. CIV. PRO. 38(a) & (b)
	)	
	)	
DEFENDANTS.	)	
	)	

---

**PLAINTIFFS' RULE 23(g)(3) MOTION FOR APPOINTMENT OF INTERIM CLASS  
COUNSEL AND INTERIM LIAISON CLASS COUNSEL**

---

Plaintiffs Cortez D. Brown, Deontae Tate and Jeremy S. Melton (hereinafter collectively referred to as "Plaintiffs"), and by and through their undersigned counsel of record, and, pursuant to Rule 23(g)(3) of the Federal Rules of Civil Procedure, submit their Motion for Appointment of

Frank L. Watson, III and William F. Burns, partners of the law firm of Watson Burns, PLLC, as Interim Class Counsel and Joseph S. Ozment of the Law Office of Joseph S. Ozment, PLLC and Lorna S. McClusky of Massey, McClusky, McClusky & Fuchs as Interim Liaison Class Counsel in this matter. Plaintiffs rely upon their contemporaneously filed Memorandum of Law and its Exhibits attached thereto in support.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs Cortez D. Brown, Deontae Tate and Jeremy S. Melton , pursuant to Rule 23(g)(3), respectfully move this Honorable Court to Frank L. Watson, III and William F. Burns, partners of the law firm of Watson Burns, PLLC, as Interim Class Counsel and Joseph S. Ozment of the Law Office of Joseph S. Ozment, PLLC and Lorna S. McClusky of Massey, McClusky, McClusky & Fuchs as Interim Liaison Class Counsel in this matter.

DATED: this 30<sup>th</sup> day of January, 2017

Respectfully submitted,

/s/ Frank L. Watson, III

Frank L. Watson, III (Tenn. Bar No. 15073)

William F. Burns (Tenn. Bar No. 17908)

WATSON BURNS, PLLC

253 Adams Avenue

Memphis, TN 38103

Phone: (901) 529-7996

Fax: (901) 529-7998

Email: [fwatson@watsonburns.com](mailto:fwatson@watsonburns.com)

Email: [bburns@watsonburns.com](mailto:bburns@watsonburns.com)

s/Joseph S. Ozment

Joseph S. Ozment (Tenn. Bar No. 15601)

THE LAW OFFICE OF JOSEPH S. OZMENT, PLLC

1448 Madison Ave.

Memphis, Tennessee 38104

Phone: (901) 525-4357

Email: [jozment@oz-law.net](mailto:jozment@oz-law.net)

s/Lorna S. McClusky

Lorna S. McClusky (Tenn. Bar No. 16803)

MASSEY, MCCLUSKY, MCCLUSKY & FUCHS

3074 East Road

Memphis, Tennessee 38128

Phone: (901)384-4004

Email: [lsmcclusky@gmail.com](mailto:lsmcclusky@gmail.com)

*Counsel for Plaintiffs Cortez D. Brown, Deontae Tate and Jeremy S. Melton on behalf of themselves and the absent Class Members*

**LOCAL RULE 7.2(a)(1)(B) CERTIFICATE OF CONSULTATION**

Pursuant to Local Rule 7.2(a)(1)(B), on January 27, 2017, Frank L. Watson, III, counsel for Plaintiffs, consulted by telephone with Claiborne H. Ferguson, counsel for Plaintiff in the action styled *Issacca Powell v. Bill Oldham, Sheriff of Shelby County, Individually and in his official capacity*, 2:16-cv-02907-SHM-tmp, and was unable to reach an accord as to the instant Motion for the appointment on Interim Class Counsel and Interim Liaison Class Counsel.

On January 24, 2017, Mr. Watson also conferred by telephone with Robert E. Craddock, counsel to Defendants Bill Oldham, Robert Moore, Charlene McGhee, Debra Hammons and Shelby County, and on January 25, 2017, Mr. Watson conferred by telephone with Bradley E. Trammel, counsel to Defendant Tyler Technologies, Inc., concerning the instant Motion. The Defendants have not consented to said Motion and have reserved their rights to oppose or otherwise respond to Plaintiffs' Motion.

/s/ Frank L. Watson, III

Frank L. Watson, III

**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that the above and foregoing was filed on January 30, 2017, using the CM/ECF system with the above-captioned court, with notice of case activity to be generated and sent electronically by the Clerk of said court to the following parties and/or served via U.S. Mail postage pre-paid and by email:

Claiborne H. Ferguson, Esq.  
THE CLAIBORNE FERGUSON LAW FIRM, P.A.  
294 Washington Ave.  
Memphis, TN 38103  
(901) 529-6400  
Email: claire101@yahoo.com

Brice M. Timmons, Esq.  
BLACK MCLAREN JONES RYLAND & GRIFFEE PC  
530 Oak Court Drive  
Suite 360  
Memphis, Tennessee 38117  
(901) 762-0535  
btimmons@blackmclaw.com

*Counsel for Plaintiff Issacca Powell*

Robert E. Craddock, Esq.  
Robert L. Crawford, Esq.  
Odell Horton, Jr., Esq.  
WYATT, TARRANT & COMBS, LLP  
1715 Aaron Brenner Drive, Suite 800  
Memphis, Tennessee 38120  
(901) 537-1000  
Email: rcraddock@wyattfirm.com

*Counsel for Defendants Bill Oldham,  
Robert Moore, Charlene McGhee,  
Debra Hammons and Shelby County, Tennessee*

Bradley E. Trammell, Esq.  
BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, P.C.  
165 Madison Avenue  
Suite 2000  
Memphis, Tennessee 38103  
(901) 577-2121  
Email: btrammell@bakerdonelson.com

*Counsel for Defendant Tyler Technologies, Inc*

s/ Frank L. Watson, III  
Frank L. Watson, III